State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. RES. 6

At the request of Mr. RUBIO, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. Res. 6, a resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

AMENDMENT NO. 9

At the request of Ms. KLOBUCHAR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 9 intended to be proposed to S. Con. Res. 3, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mr. TESTER):

S. 117. A bill to designate a mountain peak in the State of Montana as ''Alex Diekmann Peak''; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alex Diekmann Peak Designation Act of 2017''.

SEC. 2. FINDINGS.

Congress finds that Alex Diekmann—

(1) was a loving father of two and an adoring husband who lived in Bozeman, Montana, where he was a renowned conservationist who dedicated his career to protecting some of the most outstanding natural and scenic resource areas of the Northern Rockies;

(2) was responsible during his unique conservation career for the protection of more than 50 distinct areas in the States of Montana, Wyoming, and Idaho, conserving for the public over 100,000 acres of iconic mountains and valleys, rivers and creeks, ranches and farms, and historic sites and open spaces;

(3) played a central role in securing the future of an array of special landscapes, including—

(A) the spectacular Devil's Canyon in the Craig Thomas Special Management Area in the State of Wyoming;

(B) crucial fish and wildlife habitat and recreation access land in the Sawtooth Mountains of Idaho, along the Salmon River, and near the Canadian border; and

(C) diverse and vitally important land all across the Crown of the Continent in the State of Montana, from the world-famous Greater Yellowstone Ecosystem to Glacier National Park to the Cabinet-Yaak Ecosystem, to the recreational trails, working forests and ranches, and critical drinking water supply for Whitefish, and beyond;

(4) made a particularly profound mark on the preservation of the natural wonders in and near the Madison Valley and the Madison Range, Montana, where more than 12 miles of the Madison River and much of the world-class scenery, fish and wildlife, and recreation opportunities of the area have become and shall remain conserved and available to the public because of his efforts;

(5) inspired others with his skill, passion, and spirit of partnership that brought together communities, landowners, sportsmen, and the public at large;

(6) lost a heroic battle with cancer on February 1, 2016, at the age of 52;

(7) is survived by his wife, Lisa, and their 2 sons, Logan and Liam; and

(8) leaves a lasting legacy across Montana and the Northern Rockies that will benefit all people of the United States in our time and in the generations to follow.

SEC. 3. DESIGNATION OF ALEX DIEKMANN PEAK, MONTANA.

(a) IN GENERAL.—The unnamed 9,765-foot peak located 2.2 miles west-northwest of Finger Mountain on the western boundary of the Lee Metcalf Wilderness, Montana (UTM coordinates Zone 12, 457966 E., 4982589 N.), shall be known and designated as ''Alex Diekmann Peak''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the peak described in subsection (a) shall be considered to be a reference to ''Alex Diekmann Peak''.

By Mr. GRASSLEY (for himself, Mr. BLUNT, Mr. INHOFE, Mr. CORNYN, Mr. CRUZ, Mrs. FISCHER, Mr. RUBIO, Mr. FLAKE, Mr. HATCH, and Mr. TILLIS):

S. 119. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, for too long, American families, farmers, and job creators have suffered under President Obama's regulatory onslaught. His administration threw caution to wind, pumping out regulation after regulation and further entangling the government into Americans' daily lives.

In November, the American people issued a strong rebuke to President Obama's overreach and his administration's way of doing business.

They want a new direction. They want more accountability. They want more transparency. They want the government off their backs so that they can get back to making this country great again.

President-elect Trump has committed to working with Congress to roll back the regulatory overreach of the Obama administration, and to making the government more answerable to the people.

So, I rise today to introduce an important piece of legislation that will help achieve these goals and ensure a more accountable and transparent government going forward.

By some estimates, Federal Government regulations impose over $2 trillion in compliance costs—on the American economy. The cost of complying with all these regulations falls particularly heavy on small businesses.

It is no wonder why many American businesses have shut down or moved overseas. How many innovators dreamed of starting a small business but decided against it when faced with the burden and uncertainty of our regulatory state?

We have to do better.

The Federal Government should do everything possible to promote job creation. To accomplish that, common sense would tell us that the government needs to remove bureaucratic barriers rather than put up new ones.

But as we all know, the Obama administration showed time and again that it would rather push forward with its regulatory agenda than ease the burden on our economy and job creators.

Adding insult to injury, the Obama administration often kept folks in the dark about new regulatory initiatives.

Through secretive litigation tactics, the administration took end-runs around our nation's transparency and accountability laws. It is a strategy known as sue-and-settle, and regulators have been using it to speed up rulemaking and keep the public away from the table when key policy decisions are made.

Sue-and-settle typically follows a similar pattern.

First, an interest group files a lawsuit against a federal agency, claiming that the agency has failed to take a certain regulatory action by a statutory deadline. The interest group seeks to compel the agency to take action by a new, often-rushed deadline. All too often, the plaintiff-interest group will be one that shares a common regulatory agenda with the agency that it sues, such as when an environmental group sues the Environmental Protection Agency, EPA.

Next, the agency and interest group enter into negotiations behind closed doors to produce either a settlement agreement or consent decree that commits the agency to satisfy the interest group's demands. The agreement is then approved by a court, binding executive discretion.

Noticeably absent from these negotiations, however, are the very parties who will be most impacted by the resulting regulations.

Sue-and-settle tactics undermine transparency, public accountability, and the quality of public policy. They can have sweeping consequences. For example, the Obama administration's so-called Clean Power Plan, which is the most expensive regulation ever to be imposed on the energy industry, arose out of a sue-and-settle arrangement.

These tactics also undermine congressional intent.

The Administrative Procedure Act, APA, which has been called the citizens' ''regulatory bill of rights,'' was

enacted to ensure transparency and accountability in the regulatory process. A key protection is the notice-and-comment process, which requires agencies to provide notice of proposed regulations and to respond to comments submitted by the public.

Rulemaking through sue-and-settle, however, frequently results in realigned agency agendas and short deadlines for regulatory action. This makes the notice-and-comment process a mere formality. It deprives regulated entities, the States and the general public of sufficient time to have any meaningful input.

The resulting regulatory action is driven not by the public interest, but by special interest priorities, and can come as a complete surprise to those most affected by it.

Sue-and-settle litigation also helps agencies avoid accountability. Instead of having to answer to the public for controversial regulations and policy decisions, agency officials can just point to a court order entering the agreement and say that they were required to take action under its terms.

We should also keep in mind that these agreements can have lasting impacts on the ability of future administrations to take a different policy approach—such as to remove regulatory burdens on farmers. Not only does this raise serious concerns about bad public policy, it also puts into question the constitutional impact of one administration's actions binding the hands of its successors.

Sue-and-settle, and the consequences that come from such tactics, is not a new phenomenon. Evidence of sue-and-settle tactics and closed-door rulemaking can be found in nearly every administration over the previous few decades.

But without a doubt, there was an alarming increase under the Obama administration. The U.S. Chamber of Commerce found that just during President Obama's first term, 60 Clean Air Act lawsuits against the EPA were resolved through consent decrees or settlement agreements.

And since 2009, sue-and-settle cases against the EPA have imposed at least $13 billion in annual regulatory costs.

But we now have an opportunity to curb these abuses, and an incoming administration that has committed to reining in the regulators.

That is why today I am introducing the Sunshine for Regulatory Decrees and Settlements Act. Senators BLUNT, INHOFE, CORNYN, CRUZ, FISCHER, RUBIO, FLAKE, HATCH, and TILLIS are cosponsors of this important bill. And I'm pleased that Representative DOUG COLLINS introduced a companion bill today in the House.

The Sunshine bill increases transparency by shedding light on sue-and-settle tactics. It requires agencies to publish sue-and-settle complaints in a readily accessible manner.

It requires agencies to publish proposed consent decrees and settlement agreements at least 60 days before they can be filed with a court. This provides a valuable opportunity for the public to weigh-in, which will increase accountability in the rulemaking process.

The bill makes it easier for affected parties, such as States and businesses, to intervene in these lawsuits and settlement negotiations to ensure that their interests are properly represented. It requires the Attorney General to certify to a court that he or she has personally approved of the terms of certain proposed consent decrees or settlement agreements. And it requires courts to consider whether the terms of a proposed agreement are contrary to the public interest.

The bill also makes it easier for succeeding administrations to modify a prior administration's consent decrees. That way, one administration won't be forced to continue the regulatory excesses of another.

The Sunshine for Regulatory Decrees and Settlements Act will shine light on the problem of sue-and-settle. It will help rein in backroom rulemaking, encourage the appropriate use of consent decrees and settlements, and reinforce the procedures that Congress laid out decades ago to ensure a transparent and accountable regulatory process.

I thank my colleagues for their support of this bill.

By Mr. DAINES (for himself, Mr. PAUL, and Mr. TESTER):

S. 126. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, in 2005, the Federal Government enacted the REAL ID Act, imposing Federal standards established by the Department of Homeland Security to the process and production of the issuance of States' driver's licenses and identification cards.

This law was an underfunded, top down, Federal mandate, infringing on personal privacy, increasing the personal information susceptible to cyberattacks, and undermining State sovereignty. Furthermore, a REAL ID compliant State ID will be required for all ''official federal purposes,'' including boarding commercial aircraft, impeding the movement of American citizens.

Montana led opposition to this Federal mandate. In 2007, Montana enacted a law, after both chambers of the State legislature unanimously passing legislation, refusing to comply.

That is why I am reintroducing the Repeal ID Act—to allow Montana and other States to implement their laws, protecting their sovereignty and citizens' information. Consistent with the Montana State legislature, this legislation will repeal the REAL ID Act of 2005.

Montanans are fully aware of the power that big data holds and the consequences when that data is abused. Montana has shown how States are best equipped to make licenses secure, without sacrificing the privacy and rights of their citizens. The Repeal ID Act will allow us to strike a balance that protects our national security, while also safeguarding Montanans' civil liberties and personal privacy.

I want to thank Senators PAUL and TESTER for being original cosponsors of this bill and I ask my other Senate colleagues to join us in support of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Repeal ID Act of 2017''.

SEC. 2. REPEAL OF REQUIREMENTS FOR UNIFORM STATE DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS.

(a) REPEAL.—Title II of the Real ID Act of 2005 (division B of Public Law 109–13) is amended by striking sections 201 through 205 (49 U.S.C. 30301 note).

(b) CONFORMING AMENDMENTS.—

(1) CRIMINAL CODE.—Section 1028(a)(8) of title 18, United States Code, is amended by striking ''false or actual authentication features'' and inserting ''false identification features''.

(2) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—

(A) IN GENERAL.—Subtitle B of title VII of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended by inserting after section 7211 the following:

''SEC. 7212. DRIVER'S LICENSES AND PERSONAL IDENTIFICATION CARDS.

''(a) DEFINITIONS.—In this section:

''(1) DRIVER'S LICENSE.—The term 'driver's license' means a motor vehicle operator's license (as defined in section 30301(5) of title 49, United States Code).

''(2) PERSONAL IDENTIFICATION CARD.—The term 'personal identification card' means an identification document (as defined in section 1028(d)(3) of title 18, United States Code) that has been issued by a State.

''(b) STANDARDS FOR ACCEPTANCE BY FEDERAL AGENCIES.—

''(1) IN GENERAL.—

''(A) LIMITATION ON ACCEPTANCE.—No Federal agency may accept, for any official purpose, a driver's license or personal identification card newly issued by a State more than 2 years after the promulgation of the minimum standards under paragraph (2) unless the driver's license or personal identification card conforms to such minimum standards.

''(B) DATE FOR CONFORMANCE.—The Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall establish a date after which no driver's license or personal identification card shall be accepted by a Federal agency for any official purpose unless such driver's license or personal identification card conforms to the minimum standards established under paragraph (2). The date shall be as early as the Secretary determines it is practicable for the States to comply with such date with reasonable efforts.

''(C) STATE CERTIFICATION.—

''(i) IN GENERAL.—Each State shall certify to the Secretary of Transportation that the State is in compliance with the requirements of this section.

''(ii) FREQUENCY.—Certifications under clause (i) shall be made at such intervals and in such a manner as the Secretary of Transportation, with the concurrence of the Secretary of Homeland Security, may prescribe by regulation.

''(iii) AUDITS.—The Secretary of Transportation may conduct periodic audits of each State's compliance with the requirements of this section.

''(2) MINIMUM STANDARDS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall establish, by regulation, minimum standards for driver's licenses or personal identification cards issued by a State for use by Federal agencies for identification purposes that shall include—

''(A) standards for documentation required as proof of identity of an applicant for a driver's license or personal identification card;

''(B) standards for the verifiability of documents used to obtain a driver's license or personal identification card;

''(C) standards for the processing of applications for driver's licenses and personal identification cards to prevent fraud;

''(D) standards for information to be included on each driver's license or personal identification card, including—

''(i) the person's full legal name;

''(ii) the person's date of birth;

''(iii) the person's gender;

''(iv) the person's driver's license or personal identification card number;

''(v) a digital photograph of the person;

''(vi) the person's address of principal residence; and

''(vii) the person's signature;

''(E) standards for common machine-readable identity information to be included on each driver's license or personal identification card, including defined minimum data elements;

''(F) security standards to ensure that driver's licenses and personal identification cards are—

''(i) resistant to tampering, alteration, or counterfeiting; and

''(ii) capable of accommodating and ensuring the security of a digital photograph or other unique identifier; and

''(G) a requirement that a State confiscate a driver's license or personal identification card if any component or security feature of the license or identification card is compromised.

''(3) CONTENT OF REGULATIONS.—The regulations required under paragraph (2)—

''(A) shall facilitate communication between the chief driver licensing official of a State, an appropriate official of a Federal agency and other relevant officials, to verify the authenticity of documents, as appropriate, issued by such Federal agency or entity and presented to prove the identity of an individual;

''(B) may not infringe on a State's power to set criteria concerning what categories of individuals are eligible to obtain a driver's license or personal identification card from that State;

''(C) may not require a State to comply with any such regulation that conflicts with or otherwise interferes with the full enforcement of State criteria concerning the categories of individuals that are eligible to obtain a driver's license or personal identification card from that State;

''(D) may not require a single design to which driver's licenses or personal identification cards issued by all States must conform; and

''(E) shall include procedures and requirements to protect the privacy rights of individuals who apply for and hold driver's licenses and personal identification cards.

''(4) NEGOTIATED RULEMAKING.—

''(A) IN GENERAL.—Before publishing the proposed regulations required by paragraph (2) to carry out this title, the Secretary of Transportation shall establish a negotiated rulemaking process pursuant to subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 561 et seq.).

''(B) REPRESENTATION ON NEGOTIATED RULEMAKING COMMITTEE.—Any negotiated rulemaking committee established by the Secretary of Transportation pursuant to subparagraph (A) shall include representatives from—

''(i) among State offices that issue driver's licenses or personal identification cards;

''(ii) among State elected officials;

''(iii) the Department of Homeland Security; and

''(iv) among interested parties.

''(C) TIME REQUIREMENT.—The process described in subparagraph (A) shall be conducted in a timely manner to ensure that—

''(i) any recommendation for a proposed rule or report is provided to the Secretary of Transportation not later than 9 months after the date of enactment of this Act and shall include an assessment of the benefits and costs of the recommendation; and

''(ii) a final rule is promulgated not later than 18 months after the date of enactment of this Act.

''(c) GRANTS TO STATES.—

''(1) ASSISTANCE IN MEETING FEDERAL STANDARDS.—Beginning on the date a final regulation is promulgated under subsection (b)(2), the Secretary of Transportation shall award grants to States to assist them in conforming to the minimum standards for driver's licenses and personal identification cards set forth in the regulation.

''(2) ALLOCATION OF GRANTS.—The Secretary of Transportation shall award grants to States under this subsection based on the proportion that the estimated average annual number of driver's licenses and personal identification cards issued by a State applying for a grant bears to the average annual number of such documents issued by all States.

''(3) MINIMUM ALLOCATION.—Notwithstanding paragraph (2), each State shall receive not less than 0.5 percent of the grant funds made available under this subsection.

''(d) EXTENSION OF EFFECTIVE DATE.—The Secretary of Transportation may extend the date specified under subsection (b)(1)(A) for up to 2 years for driver's licenses issued by a State if the Secretary determines that the State made reasonable efforts to comply with the date under such subsection but was unable to do so.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for each of the fiscal years 2005 through 2009, such sums as may be necessary to carry out this section.''.

(B) EFFECTIVE DATE.—Section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, as added by subparagraph (A), shall take effect as if included in the original enactment of such Act on December 17, 2004.

By Mr. NELSON (for himself, Mrs. FISCHER, Ms. KLOBUCHAR, and Mr. BLUNT):

S. 134. A bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, fraudulent and abusive phone scams plague thousands of Americans each year. These deceitful practices cause serious financial harm to victims, and have even led to tragedy in a few cases. Both the Committee on Commerce, Science, and Transportation, where I serve as Ranking Member, and the Special Committee on Aging, where I previously served as Chairman, have explored the continuing severe impact of these scams. Consumers continue to lose millions of dollars each year to fraudulent phone scams, many of which originate from other countries. And the impacts of these scams are very real to the consumers who suffer. According to an October 2015 press report from CNN, one poor soul took his life earlier that year after being tricked into spending thousands of dollars in a vain attempt to collect on his winnings in the Jamaican lottery—winnings that were non-existent because it was all a scam perpetrated by phone-based fraudsters.

Nearly all of us have trained ourselves to ignore phone calls and text messages from numbers that are not familiar to us. But these sophisticated scammers know that—and have changed their tactics. Scammers today impersonate government institutions, promote fraudulent lottery schemes, and tailor their calls to individuals in order to coerce victims into paying large sums of money. Many scammers use spoofing technology to manipulate caller ID information and trick consumers into believing that these calls are local or come from trusted institutions.

In 2009, I introduced the Truth in Caller ID Act to prohibit caller ID spoofing when it is used to defraud or harm consumers. That law provided important tools for law enforcement and the Federal Communications Commission, FCC, to go after fraudsters and crack down on these phone scams. I was pleased when my Congressional colleagues joined with me to pass that legislation and the President signed it into law. This was a huge win for consumers and the first step toward ending these abusive practices.

Recognizing the pace at which phone scam technologies evolve, the law directed the FCC to prepare a report to Congress outlining what additional tools were needed to curb other forms of spoofing. In 2011, the agency provided its recommendations to Congress on how to update the law to keep pace with new spoofing practices, such as text messaging scams.

The bill Senators FISCHER, KLOBUCHAR, BLUNT and I have introduced today responds to the FCC's recommendations and builds on the 2010 Act to ensure the law keeps up with these spoofing scams. As these scams become increasingly sophisticated, we need to make sure that consumer protections and tools for law enforcement

keep up. That is why this legislation is so important.

The Spoofing Prevention Act of 2017 would extend the current prohibition on caller ID spoofing to text messages, calls coming from outside the United States, and calls from all forms of Voice over Internet Protocol services.

Additionally, for the first time, this bill would ensure consumers have access to information on a centralized FCC website about current technologies and other tools available to protect themselves against spoofing scams.

Finally, the Act directs the Government Accountability Office, GAO, to conduct a study to assess government and private sector work being done to curb spoofing scams, as well as what new measures, including technological solutions, could be taken to prevent spoofed calls from the start. I know industry, in cooperation with the FCC through its Robocall Strike Force, already is making great strides in this area, and I would expect the GAO to review that work closely.

I urge my colleagues to join Senators FISCHER, KLOBUCHAR, BLUNT, and me in supporting the Spoofing Prevention Act of 2016 to ensure that law enforcement and consumers have the updated tools they need to protect against this fraudulent activity. And make no mistake, I will press the FCC to continue to use its full authority under the Truth in Caller ID Act to stop these scams, including consideration of technical solutions—like call authentication—to protect consumers.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 134

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Spoofing Prevention Act of 2017''.

SEC. 2. DEFINITION.

In this Act, the term ''Commission'' means the Federal Communications Commission.

SEC. 3. SPOOFING PREVENTION.

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking ''in connection with any telecommunications service or IP-enabled voice service'' and inserting ''or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service or text messaging service''.

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service or a text message sent using a text messaging service'';

(B) in the first sentence of subparagraph (B), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service or a text message sent using a text messaging service''; and

(C) by striking subparagraph (C) and inserting the following:

''(C) TEXT MESSAGE.—The term 'text message'—

''(i) means a message consisting of text, images, sounds, or other information that is transmitted from or received by a device that is identified as the transmitting or receiving device by means of a 10-digit telephone number;

''(ii) includes a short message service (commonly referred to as 'SMS') message, an enhanced message service (commonly referred to as 'EMS') message, and a multimedia message service (commonly referred to as 'MMS') message; and

''(iii) does not include a real-time, 2-way voice or video communication.

''(D) TEXT MESSAGING SERVICE.—The term 'text messaging service' means a service that permits the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

''(E) VOICE SERVICE.—The term 'voice service'—

''(i) means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

''(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.''.

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting ''MISLEADING OR'' before ''INACCURATE''.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking ''Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission'' and inserting ''The Commission''.

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in collaboration with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

(i) descriptions of how a consumer can use the technologies to protect against such scams and other fraudulent activity; and

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

(3) UPDATES.—The Commission shall ensure that the consumer education materials required under paragraph (1) are updated on a regular basis.

(4) WEBSITE.—The Commission shall include the consumer education materials developed under paragraph (1) on its website.

(c) GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) REQUIRED CONSIDERATIONS.—In conducting the study under paragraph (1), the Comptroller General shall examine—

(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study conducted under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102–243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN–SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 12—EXPRESSING THE SENSE OF THE SENATE THAT CLEAN WATER IS A NATIONAL PRIORITY, AND THAT THE JUNE 29, 2015, WATERS OF THE UNITED STATES RULE SHOULD BE WITHDRAWN OR VACATED

Mrs. FISCHER (for herself and Mrs. ERNST) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 12

Whereas the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly known as the ''Clean Water Act'') is one of the most important laws in the United States and has led to decades of successful environmental improvements;

Whereas the success of that Act depends on consistent adherence to the key principle of cooperative federalism, under which the Federal Government and State and local governments all have a role in protecting water resources;

Whereas, in structuring the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) based on the foundation of cooperative federalism, Congress left to the States their traditional authority over land and water, including farmers' fields, nonnavigable, wholly intrastate water (including puddles and ponds), and the allocation of water supplies;

Whereas compliance with the principle of cooperative federalism requires that any regulation defining the term ''waters of the United States'' be promulgated—

(1) after the establishment of a proper regulatory baseline for, and an evaluation of the costs and benefits of, the proposed regulatory definition of the term;

(2) in compliance with—

(A) chapter 6 of title 5, United States Code (commonly known as the ''Regulatory Flexibility Act''); and

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(3) in consultation with States and local governments, including consultation with respect to—

(A) alternative proposals for changing the regulatory definition of the term; and

(B) the impact of the alternative proposals, including costs and benefits, on State and local governments and small entities;

Whereas, in promulgating the final rule entitled ''Clean Water Rule: Definition of 'Waters of the United States' '' (80 Fed. Reg. 37054 (June 29, 2015)) (referred to in this preamble as the ''Waters of the United States Rule''), the Administrator of the Environmental Protection Agency and the Chief of Engineers—

(1) failed to follow the procedural steps described in the fourth whereas clause; and

(2) claimed broad and expansive jurisdiction that encroaches on traditional State authority and undermines longstanding exemptions from Federal regulation under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

Whereas, on October 9, 2015, the United States Court of Appeals for the Sixth Circuit—

(1) issued a nationwide stay for the Waters of the United States Rule; and

(2) found that the petitioners who requested that the court vacate the Waters of the United States Rule have a substantial possibility of success in a hearing on the merits of the case: Now, therefore, be it

Resolved, That it is the sense of the Senate that the final rule of the Administrator of the Environmental Protection Agency and the Chief of Engineers entitled ''Clean Water Rule: Definition of 'Waters of the United States' '' (80 Fed. Reg. 37054 (June 29, 2015)) should be vacated.

SENATE RESOLUTION 13—RECOGNIZING THE HISTORICAL IMPORTANCE OF ASSOCIATE JUSTICE CLARENCE THOMAS

Mr. CORNYN (for himself, Mr. HATCH, Mr. LEE, Mr. SCOTT, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 13

Whereas, in 1948, Clarence Thomas was born outside of Savannah, Georgia, in the small community of Pin Point, Georgia;

Whereas Clarence Thomas was born into poverty and under segregation;

Whereas, notwithstanding his humble beginnings and the many impediments he faced, Clarence Thomas demonstrated incredible intellect, discipline, and strength in attending and graduating from St. Benedict the Moor Catholic School, St. John Vianney Minor Seminar, the College of the Holy Cross, and Yale Law School;

Whereas Clarence Thomas had a distinguished legal career with service in State government and all branches of the Federal Government, including the Senate, the Department of Education, the Equal Employment Opportunity Commission, and the United States Court of Appeals for the District of Columbia Circuit;

Whereas, on July 1, 1991, President George Herbert Walker Bush nominated Clarence Thomas to be an Associate Justice of the Supreme Court of the United States (in this preamble referred to as the ''Supreme Court'');

Whereas Justice Thomas is the second African American to serve on the Supreme Court;

Whereas, during his quarter century on the Supreme Court, Justice Thomas has made a unique and indelible contribution to the jurisprudence of the United States;

Whereas Justice Thomas has propounded a jurisprudence that seeks to faithfully apply the original meaning of the text of the Constitution of the United States;

Whereas Justice Thomas has brought renewed focus to constitutional doctrines that the Framers intended to undergird our republican form of government, including federalism and the separation of powers;

Whereas, in fostering this philosophy of law, Justice Thomas reinvigorated not only the jurisprudence of the United States, but also the democracy of the United States;

Whereas Justice Thomas has been a remarkably prolific Associate Justice, writing influential opinions on topics including constitutional law, administrative law, and civil rights;

Whereas, on August 10, 1846, in the name of founding an establishment for the increase and diffusion of knowledge, Congress established the Smithsonian Institution as a trust to be administered by a Board of Regents and a Secretary of the Smithsonian Institution;

Whereas diversity, including intellectual diversity, is a core value of the Smithsonian Institution and the museums of the Smithsonian Institution should capitalize on the richness inherent in differences;

Whereas, upon opening, the National Museum of African American History and Culture (in this preamble referred to as the ''Museum'') is the only national museum devoted exclusively to the documentation of African American life, history, and culture;

Whereas the Museum omits the contribution made by Justice Thomas to the United States; and

Whereas the Senate is hopeful that the Museum will reflect that important contribution: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Associate Justice Clarence Thomas is a historically significant African American who has—

(A) overcome great challenges;

(B) served his country honorably for more than 35 years; and

(C) made an important contribution to the United States, in particular the jurisprudence of the United States; and

(2) the life and work of Justice Thomas are an important part of the story of African Americans in the United States and should have a prominent place in the National Museum of African American History and Culture.

SENATE RESOLUTION 14—COMMENDING THE CLEMSON UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING THE 2017 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. GRAHAM (for himself and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 14

Whereas, on Monday, January 9, 2017, the Clemson University Tigers football team won the 2017 College Football Playoff National Championship (in this preamble referred to as the ''championship game'') by defeating the University of Alabama by a score of 35 to 31 at Raymond James Stadium in Tampa, Florida;

Whereas the Tigers finished the championship game with 511 yards of total offense;

Whereas the victory by the Tigers in the championship game—

(1) earned Clemson its first national title since the 1981 season; and

(2) marked the first time that Clemson had beaten a top-ranked team;

Whereas the head coach of Clemson, Dabo Swinney, has been an outstanding role model to the Clemson players and the Clemson community;

Whereas Deshaun Watson gave the best performance by a quarterback in a championship game;

Whereas Ben Boulware, from Anderson, South Carolina, was named the defensive Most Valuable Player of the championship game;

Whereas Hunter Renfrow, a graduate of Socastee High School, went from being a walk-on player to catching the winning touchdown in the championship game;

Whereas the Clemson University football team displayed outstanding dedication, teamwork, and sportsmanship throughout the 2016 collegiate football season in achieving the highest honor in college football; and

Whereas the Tigers have brought pride and honor to the State of South Carolina: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Clemson University Tigers for winning the 2017 College Football Playoff National Championship;